

## AN ORDINANCE

BY COUNCILMEMBER IVORY LEE YOUNG, HOWARD SHOOK AND CASSAN MITCHELL.

AN ORDINANCE TO: (i) ABANDON PORTIONS OF GRAY STREET, N.W. AND WESTERN AVENUE, N.W., AND BEING MORE FULLY DESCRIBED IN THE ATTACHED EXHIBIT "A"; (ii) AUTHORIZE THE WAIVER OF PAYMENT OF THE APPRAISED FAIR MARKET VALUE OF THE ABANDONED PROPERTIES (iii) AUTHORIZE THE MAYOR TO EXECUTE A QUITCLAIM DEED TO THE GEORGIA STATE PROPERTIES COMMISSION CONVEYING THE ABANDONED PROPERTIES; AND (iv) FOR OTHER PURPOSES.

**WHEREAS**, the City of Atlanta (the "City") has received a formal request from the State of Georgia through the Georgia Department of Industry, Trade, and Tourism, (the "State") the abutting property owner, to abandon Western Avenue, N.W., and Gray Street, N.W., a portion of certain streets located in the City of Atlanta; and

**WHEREAS**, the State intends to build a parking lot for the Georgia World Congress Center expansion project; and

**WHEREAS**, the City has determined that the referenced property is no longer useful or necessary for the public's use and convenience; and

**WHEREAS**, the abandoned rights-of-way will become part of the abutting owner's private property and the State of Georgia will be responsible for maintaining, operating, and providing all services and utilities associated with the abandoned properties; and

**WHEREAS**, the State of Georgia has requested that the City waive compensation for the abandoned properties in exchange for the opportunity to, among other things, enhance local employment opportunities, through the construction of additional parking to the Georgia World Congress Center, a downtown employer; and

**WHEREAS**, the Georgia World Congress Center Authority has agreed, in consideration of the City's waivers in connection with this transaction to construct certain improvements and to take certain actions concerning the Atlanta Housing Authority; more particularly described on Exhibit "B" attached; and

**WHEREAS**, the Georgia World Congress Center Authority has further agreed to cooperate with the City concerning the proposed Jones-Alexander-Simpson Corridor Project contemplated by the City in the near future by agreeing to convey or swap certain properties and other rights-of-way needed by the City to complete the Project without the payment of compensation, thereby providing substantial benefit to the City; and

**WHEREAS**, the request to abandon the streets without compensation has been reviewed by the proper City agencies and by all stakeholders, including MARTA.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA , AS FOLLOWS:**

**Section 1.** That Western Avenue, N.W. between Northside Drive and Gray Street, N.W. Containing 20,963 Square Feet. Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as shown on the attached Exhibit “A”, be and it hereby is declared no longer useful or necessary for the public’s use and convenience.

**Section 2.** That Gray Street, N.W., between Western Avenue and John Street. Containing 26,556 Square Feet. Lying and being in Land Lot 82 of the 14<sup>th</sup> District of Fulton County, Georgia, as show on the attached Exhibit “A”, be and it hereby is declared no longer useful or necessary for the public’s use and convenience.

**Section 3.** That all reservations for existing public or private utility easements must remain in effect for the purpose of entering the properties to operate, maintain, or replace the utility facilities. These easements must remain in effect until the time that the utilities are abandoned, removed, or relocated, at which time, the easements will expire.

**Section 4.** That compensation for the fair market value of the abandoned properties is waived by the City, as determined to be desirable and in the best interests of the City by the Chief Procurement Officer, Department of Procurement; provided, however that the Georgia World Congress Center Authority agrees in writing to: (i) construct certain improvements and to take certain actions concerning the Atlanta Housing Authority, more particularly described on Exhibit “B” attached, that agreement in a form approved by the City Attorney; and (ii) cooperate with the City concerning the proposed Jones-Alexander-Simpson Corridor Project contemplated by the City in the near future by agreeing to convey or swap certain properties and other rights-of-way needed by the City to complete the Project without the payment of compensation.

**Section 5.** That all costs associated with the advertising of the petition for abandonment will be charged to and paid from Account Number \_\_\_\_\_.

**Section 6.** That upon approval of this Ordinance, and upon acceptance of the necessary documents by the Department of Public Works, and upon the payment by the State of Georgia of the advertisement portion of the fees set forth in Section 138-9 of the City’s Code or Ordinances, the City Attorney is directed to prepare a Quit Claim Deed and other appropriate documents to effectuate the abandonment authorized by this Ordinance.

**Section 7.** That the Mayor is authorized to execute the Quit Claim Deed and other necessary documents, as determined by the City Attorney, for the abandoned street rights-of-way.

**Section 8.** Upon execution, the Quitclaim Deed will be filed and recorded in the Real Property Records of Fulton County, Georgia.

**Section 9.** That all code sections, ordinances, and parts of code sections and ordinances in conflict with this Ordinance are waived for this instance only.

**List of Streets to be Abandoned by the City of Atlanta to the State of Georgia**

1. Gray Street from the southern edge of the intersection with Western Avenue to John Street.

Fair market value: \$159,336.00

2. Western Avenue from Northside Drive to Gray Street.

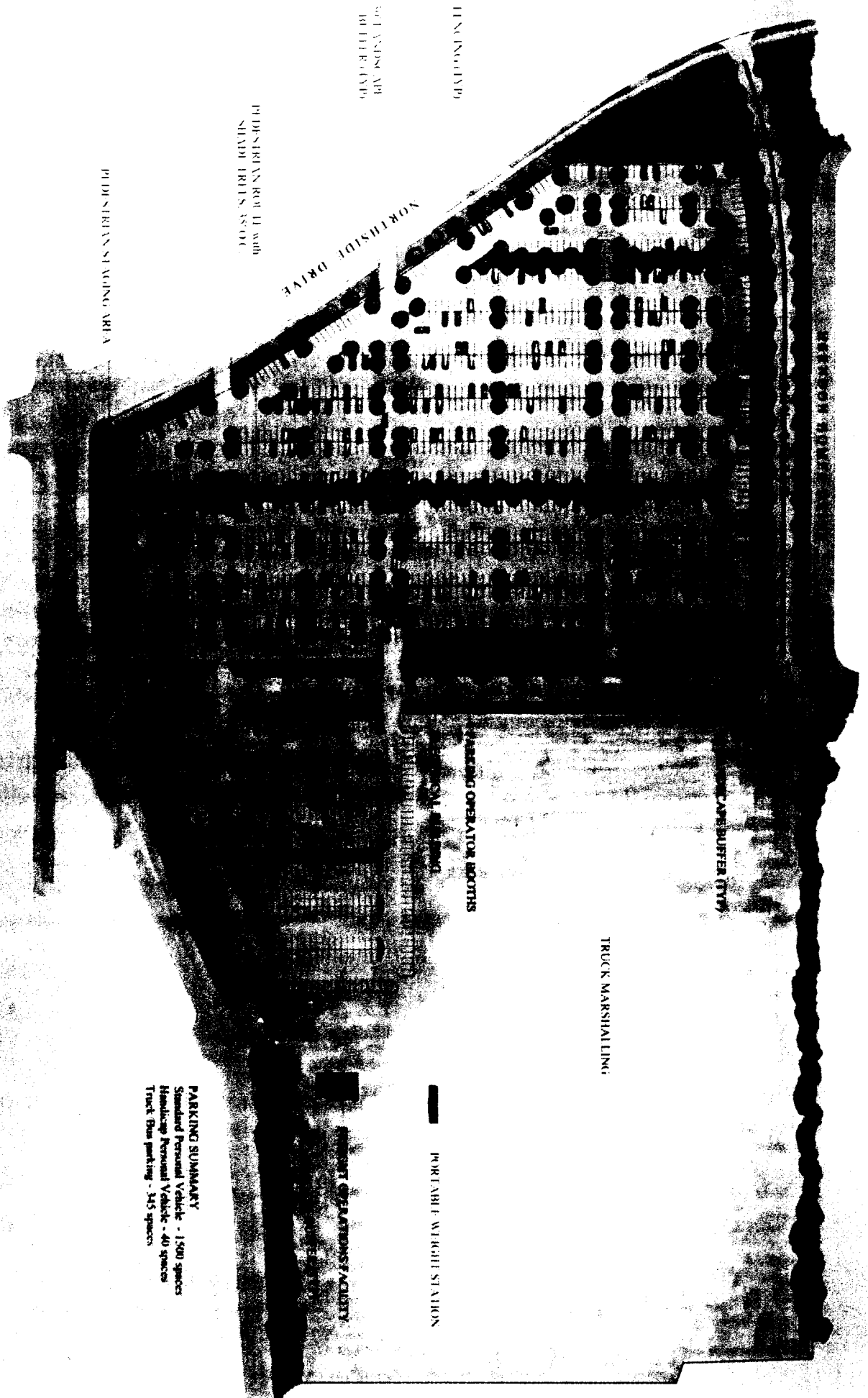
Fair market value: \$125,778.00

Appraisal of parcels involved in the Jones Avenue Parking. Appraisals performed by Pamela Smith in February, 1999

Tract	Address	Total Square Feet	Appraisal	Cost per Square Foot
3	342 Gray Street	2,750	\$ 6100	\$2.22
4	344 Gray Street	2,750	\$ 6100	\$2.22
5	348 Gray Street	5,000	\$11000	\$2.22
6	452 Jones Street	5,250	\$38200	\$7.26
7	456 Jones Avenue	5,250	\$11600	\$2.20
8	460 Jones Avenue	4,567	\$10000	\$2.19
9	466 Jones Avenue	5,275	\$11625	\$2.20
11	360 Gray Street	2,120	\$ 4700	\$2.22
12	447 Jones Avenue	1,742	\$ 3850	\$2.21
13	362 Gray Street	2,614	\$21500	\$8.22
14	364 Gray Street	3,049	\$ 6725	\$2.20
15	368 Gray Street	2,692	\$ 5950	\$2.21
16	370 Gray Street	2,614	\$ 5750	\$2.20
17	374 Gray Street	3,485	\$ 7700	\$2.21
18	448 Western Avenue	5,000	\$11000	\$2.20
19	452-56 Western Avenue	5,000	\$46000	\$9.20
20	460 Western Avenue	5,000	\$21700	\$4.34
21	Western Avenue	4,500	\$ 9900	\$2.20
22	Davis Street	3,150	\$ 6950	\$2.21
23	465 Jones Avenue	2,660	\$ 5850	\$2.20
24	Jones Avenue	3,485	\$ 7700	\$2.21
25	455 Jones Avenue	4,792	\$29000	\$6.05
26	451 Jones Avenue	4,792	\$10500	\$2.19
27	475 Jones Avenue	5,000	\$11000	\$2.20
28	481 Jones Avenue	5,700	\$12550	\$2.20
29	485 Jones Avenue	2,850	\$ 6275	\$2.20
30	Jones Avenue	3,760	\$11300	\$3.00
31	367 Edwards Street	1,742	\$ 4800	\$2.75
32	371 Edwards Street	3,484	\$22600	\$6.49
34	376 Davis Street	3,330	\$ 7325	\$2.20
35	372 Davis Street	3,330	\$ 7325	\$2.20
36	368 Davis Street	3,330	\$28000	\$8.40
38	390 Edwards Street	5,000	\$11000	\$2.20
39	396 Edwards Street	5,000	\$11000	\$2.20
40	512 Johnson Street	3,350	\$10100	\$3.01



Concept Plan for:  
**JONES AVENUE PARKING**  
with HERNDON HOMES SITE



**PARKING SUMMARY**  
Standard Personal Vehicle - 1,500 spaces  
Handicap Personal Vehicle - 40 spaces  
Truck Box parking - 345 spaces

## **Exhibit B**

**WHEREAS**, the State of Georgia and the Geo. L. Smith Georgia World Congress Center Authority have constructed an expansion to the Georgia World Congress Center at a cost of \$280,000,000.00, and

**WHEREAS**, the expansion project includes additional parking facilities to accommodate attendees at Georgia Dome and Georgia World Congress Center events, and

**WHEREAS**, the parking project includes improvements to sidewalks and streetscapes listed below with an estimated value of \$650,000.00

- Sidewalks along the east side of Northside Drive
- Streetscape Improvements along the east side of Northside Drive
- Streetscape Improvements at Simpson Street
- Bus Turn-a-round at Gray Street and John Street
- Pedestrian Pathway on Gray Street
- Widening/Improvement of John Street

**WHEREAS**, The Geo. L. Smith II Georgia World Congress Center Authority has committed to certain other improvements listed below in the area surrounding other projects with an estimated value of \$500,000.00

- Green Space Pocket Park at the intersection of Northside Drive and Simpson Street
- Sidewalks at Maple Street
- Sidewalks at Thurmond Street
- Sidewalks along the west side of Northside Drive
- Streetscape Improvements along the west side of Northside Drive

**AND**

**WHEREAS**, The Geo. L. Smith Georgia World Congress Center Authority has purchased at a cost of \$800,000.00 and has conveyed to the Atlanta Housing Authority a tract of land immediately north of Kennedy Street for the purpose of building new housing.